PGB Philadelphia, PA

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

VISIONQUEST NATIONAL, LTD.

Employer

and

Case 04-RC-089101

DISTRICT 1199C, NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, AFSCME, AFL-CIO

Petitioner

DECISION AND CERTIFICATION OF RESULTS OF ELECTION

The National Labor Relations Board has considered determinative challenges in an election held October 15, 2012, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 14 for and 14 against the Petitioner, with 8 challenged ballots.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the hearing officer's findings and recommendations, and finds that a certification of results of election should be issued.

CERTIFICATION OF RESULTS OF ELECTION

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In the absence of exceptions, we adopt pro forma the hearing officer's recommendation to sustain the challenges to the ballots of Ernest Connor, Jr. and Catherine Dertouzos. The Employer stipulated at the hearing that the Petitioner's challenge to the remaining challenged ballot – Randy Sheagley – should be sustained.

¹ We agree with the hearing officer's recommended finding that the terms of the Stipulated Election Agreement unambiguously exclude employees serving as Family Intervention Specialists (Lucinda Harmon, Julia Strickland, Joslyn Brooks, and Renee Toney), and as Safety Monitor (Troy Jones) from the bargaining unit. We therefore find it unnecessary to reach the hearing officer's alternative community-of-interest findings.

IT IS CERTIFIED that a majority of the valid ballots have not been cast for District 1199C, National Union of Hospital and Health Care Employees, and that it is not the exclusive representative of these bargaining-unit employees.

Dated, Washington, D.C., March 8, 2013.

	Mark Gaston Pearce,	Chairman
	Richard F. Griffin, Jr.,	Member
	Sharon Block,	Member
(SEAL)	NATIONAL LABOR RELATIONS BOARD	